

**United States District Court
for the District of Massachusetts
Report on Offender Under Supervision**

Name of Offender: Daniel J. O'Hern**Case Number:** 14-CR-10241**Name of Sentencing Judicial Officer:** Honorable Denise J. Casper, U.S. District Judge**Date of Original Sentence:** July 21, 2015**Original Offense:** Distribution of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(2); Possession of Child Pornography, in violation of 18 U.S.C. § 2252A(a)(5)**Original Sentence:** 63 months of custody followed by 60 months of supervised release**Type of Supervision:** Supervised Release**Date Supervision Commenced:** January 18, 2019

NON-COMPLIANCE SUMMARY

Violation Number	Nature of Non-Compliance
I	<p><u>Violation of Special Condition #13:</u> The defendant is not to consume any alcoholic beverages.</p> <p>(A) On 1/7/21, during a morning meeting, this officer inquired about Mr. O'Hern's alcohol consumption. Mr. O'Hern denied any alcohol consumption and stated that he was benefitting from individual substance use counseling. After denying any alcohol use, Mr. O'Hern submitted to a breathalyzer, which yielded a 0.069 breath alcohol content. Upon seeing the results, Mr. O'Hern admitted that he consumed vodka prior to this officer's arrival.</p> <p>(B) On 1/17/21, during a meeting with this officer, Mr. O'Hern admitted that he consumed vodka the previous night.</p>
II	<p><u>Violation of Standard Condition #3:</u> The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.</p> <p>On 1/7/21, during a morning meeting, this officer inquired about Mr. O'Hern's alcohol consumption. Mr. O'Hern denied any alcohol consumption and stated that he was benefitting from individual substance use counseling. After denying any alcohol use, Mr. O'Hern submitted to a breathalyzer, which yielded a 0.069 breath alcohol content. Upon seeing the results, Mr. O'Hern admitted that he consumed vodka prior to this officer's arrival. Thus, Mr. O'Hern failed to answer truthfully this officer's initial inquiry about alcohol use.</p>

U.S. Probation Officer Action:

This officer has continued to coach Mr. O'Hern on the importance of adhering to his conditions of release and making healthy constructive choices. This officer has advised Mr. O'Hern to utilize treatment as a resource to discuss adaptive coping and risk mitigation strategies. In collaboration with Mr. O'Hern's individual substance use counselor, this officer advised Mr. O'Hern that his ongoing struggles with alcohol appear to warrant a more intense level of treatment. This officer recommended intensive outpatient treatment and Mr. O'Hern agreed to participate in said treatment modality. Based on Mr. O'Hern's agreement to participate in intensive outpatient treatment, no Court action is requested at this time. This officer will continue to monitor Mr. O'Hern in the community, support his skill development, collaborate and communicate with his treatment providers, and address any risks and/or challenges as they arise or are reported. This officer will provide the Court with prompt notification if any additional non-compliance occurs.

If Your Honor agrees to approve this notification, please make the corresponding notation in the space below.

Reviewed/Approved by:

Respectfully submitted,

/s/ Jeffrey R. Smith

Jeffrey R. Smith

Supervisory U.S. Probation Officer

/s/ Justin Prophet

by Justin Prophet

Senior U.S. Probation Officer

Date: 1/19/2021

No Response is necessary unless the court directs that additional action be taken as follows:

- ☒ Approved
☐ Submit a Request for Warrant or Summons
☐ Other

Denise J. Casper

Honorable Denise J. Casper
 U.S. District Judge

Date: 1/21/2021